

MISSOURI BUDGET AND LEGISLATIVE AGENDA

Improving the Health of Missourians

“We must address the health care crisis head-on to ensure that health care is affordable and accessible for all Missourians.”

Governor Matt Blunt

Governor Blunt is committed to improving the health of all Missourians. The Governor's *Budget and Legislative Agenda* will: improve access to health providers and reduce the cost of health insurance by reforming medical malpractice laws; improve the health of chronically ill patients by introducing modern disease management principles; lower Missouri's high rate of teen smoking by instituting new youth tobacco prevention programs; preserve vital services for pregnant women and children enrolled in Medicaid; and improve in-home services for elderly and disabled Missourians.

Respecting the Sanctity of Human Life

Governor Blunt supports efforts to protect unborn children, including legislation that would deter individuals from transporting minors across state lines for the purpose of obtaining an abortion without parental consent, as well as funding for programs that support abortion alternatives. The Governor opposes state funding of abortion providers, supports efforts to improve conscience protections for health-related professionals, and will work to foster a healthy respect for human life at all of its stages.

Reforming the Medical Liability System

In recent years, health care costs for Missourians have exploded while the costs of remaining in business for Missouri health care providers has risen dramatically. The situation is so severe that the American Medical Association has named Missouri one of eighteen states facing a health care crisis. Citizens in many areas of the state are already seeing the full impact of this crisis - traveling long distances to seek medical attention, experiencing a shortage of doctors willing to deliver babies, and lacking access to critical trauma care services. This crisis primarily results from two factors: skyrocketing medical malpractice payments and frivolous lawsuits. As a result of the increased cost of practicing in Missouri many doctors are being forced to:

- Close their practices.
- Move their practices to another state.
- Cut back on state-of-the-art equipment.
- Lay off medical and support staff.
- Limit lifesaving procedures, such as surgery and child delivery.

2005 Legislative Initiative Medical Malpractice Reform

Governor Blunt supports meaningful litigation reform that will prevent Missouri doctors from having to close their offices, leaving patients without access to doctors they know and trust. The Governor will work with the General Assembly to quickly pass legislation that will:

- Place a single cap on non-economic damages of \$250,000. This will protect health care providers while ensuring that the victims of malpractice are adequately compensated for their damages. A 2002 court decision dismantled statutory protections by ruling non-economic damages could be applied multiple times within a single case.
- Limit venue provisions regarding where a lawsuit can be tried and require that lawsuits be filed where the accident or injury occurs. Current law allows lawsuits to be filed in places other than where an accident occurred. This allows plaintiffs to easily file suit in Jackson County or St. Louis, where juries are perceived to be more generous. This practice of picking venues by trial attorneys must stop.
- Ensure that health care providers are only sued when there is fault by crafting a truly meaningful affidavit of merit law. Attorneys who bring suits claiming malpractice should have an affidavit from a bona fide clinical peer of the accused who attests that malpractice has, in fact, actually occurred.
- Protect doctors and nurses who wish to extend statements of sympathy to their patients by creating evidentiary privileges. The current environment often prevents expressions of sympathy by doctors and nurses because of the fear that these statements may be used against them in court. Health care providers are empathetic people with long-standing relationships with many of the individuals they treat. They should be allowed to express sympathy for a family's loss without fear of litigation.
- Expand Missouri's peer review law to allow doctors and nurses to share information when working together to improve the quality of care. Protections should also be given to hospitals that engage in studies aimed at internal quality review. Currently, valuable studies that could reduce medical errors and improve the quality of patient care are being foregone because of the fear of lawsuits.

Chronic Care Management

Governor Blunt proposes implementing a Chronic Care Improvement Program to enhance the quality of care for chronically ill patients and achieve additional savings to the Medicaid Program. Chronic conditions such as diabetes and heart disease can be better managed by increasing the screening, monitoring, and educational services provided to patients. Often, these patients have multiple physicians treating their condition. The program also includes a component for coordination between all health care providers that are treating an individual with a chronic condition. This proactive approach will improve patient outcomes, decrease costly hospitalizations and emergency room visits, and produce additional savings in the Medicaid Program.

Protecting Health Care Access for Pregnant Women and Children

The Medicaid Program provides vital services to pregnant women and children. The State Children's Health Insurance Program (SCHIP) has been a success and is a prudent investment for the state. SCHIP annual expenditures per child are just over \$1,000 per year. This is a responsible use of taxpayers' money. Since its inception in 1998, the program has extended health care coverage to more than 87,000 children. In addition, the Medicaid Program includes several distinctive programs that cover low-income pregnant women. Governor Blunt is committed to ensuring that pregnant women and children have access to vital health services. Accordingly, the Governor's Fiscal Year 2006 budget recommendations include continued core funding for SCHIP and Medicaid programs for pregnant women.

Preventing Underage Smoking

Missouri recently received an "F" grade from the American Lung Association in the area of tobacco prevention and control spending. This is the second year in a row the state received a failing grade. Missouri has the third highest rate in the nation of teenagers who smoke. More than 30 percent of the state's high school students smoke. Ninety percent of all smokers say that they started their habit before the age of 18. The average age for a first time smoker is 13. Governor Blunt understands that for Missouri to improve its level of public health, it must do a better job of prioritizing youth prevention efforts that address unhealthy habits. To address Missouri's alarming teen smoking rate, Governor Blunt supports using a portion of the proceeds from a settlement reached with several smaller tobacco companies for tobacco prevention programs. The Governor's Fiscal Year 2006 budget for the Department of Health and Senior Services includes \$875,000 to institute new youth tobacco prevention programs.

Supporting our Elderly and Disabled Citizens

It is important that state government recognize that seniors are remaining active long after they reach retirement age. Governor Blunt is committed to improving the quality of life for the elderly in Missouri and ensuring we do not forget the contributions of the past when planning senior programs of the future.

Reforming and Increasing Funding for In-Home Services

Currently, state programs that serve Missouri's elderly and disabled citizens are located in the Department of Social Services, the Department of Elementary and Secondary Education, and the Department of Health and Senior Services. The Department of Social Services provides access to health care for low-income elderly and disabled individuals.

The Personal Assistance Services Program in the Department of Elementary and Secondary Education provides personal attendant care to individuals with severe physical disabilities to enable them to live more independently. The Department of Health and Senior Services provides support services to help seniors and adults with disabilities maintain their independence and safety. This is not an efficient way to provide services and can be confusing to those seeking assistance. To better serve these Missourians, Governor Blunt proposes unifying these services under the Department of Health and Senior Services.

In addition, Governor Blunt proposes funding to improve the quality of home health care services by increasing reimbursement rates paid by the state to providers. To ensure quality care is being delivered to individuals receiving home health care services,

competitive wages are critical. The availability of quality care at home prevents elderly and disabled citizens from being inappropriately placed in nursing homes. The Governor's Fiscal Year 2006 budget includes \$65.2 million to fund a wage increase for home and community-based workers.

Prescription Drug Coverage for Seniors

In December 2003, President Bush signed into law the Medicare Prescription Drug Improvement and Modernization Act of 2003. It includes a prescription drug benefit to help seniors with the cost of medication. The program will begin covering prescriptions for senior citizens on January 1, 2006. Missouri currently has a Senior Rx Program that provides assistance with prescription drug costs for low-income seniors.

To provide relief and assistance to Missouri seniors, Governor Blunt has allocated funds to continue Missouri's Senior Rx Program for another year. This will give the state time to analyze yet to be finalized federal rules for the prescription drug benefit. It must be determined if, and how, the state can complement the new federal prescription drug benefit.

Health Care Technology

Governor Blunt supports investing in cutting edge health care technologies that will reduce medication errors, improve efficiencies, and reduce costs. Telemedicine allows increased access to health care in underserved areas and expands access to specialty care by enabling patients and providers to interact with health care professionals located miles apart. Telemedicine also brings continuing education and training to medical professionals in relatively isolated areas of the state. The Governor's Fiscal Year 2006 budget includes \$628,200 for a one-time grant to the Missouri Telehealth Resource Center at the University of Missouri-Columbia School of Medicine.

State Employee Health Care

Good, hard-working state employees must be adequately compensated and have access to affordable, quality health care coverage. Governor Blunt's Fiscal Year 2006 budget includes \$12 million to cover increased health insurance costs.

Good Samaritan Protection

Missourians have never hesitated to help those in need. "Good Samaritans" should not be vulnerable to lawsuits. The Governor supports legislation to ensure that liability protection is provided to all volunteers and emergency personnel who participate in disaster response and recovery operations in Missouri.